

SEPTAGE PROGRAM ADMINISTRATIVE ENFORCEMENT ACTIONS

Below is a listing of enforcement actions initiated by the Michigan Department of Environmental Quality. These actions include criminal charges, revocation of a septage waste business license to pump and transport septage waste, or other civil actions as appropriate. The actions are authorized under Part 117, Septage Waste Servicers, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

The actions were taken because of serious and/or repetitive violations of Part 117 and Part 31.

Name/Business	Type of Violation	Outcome
Mr. Robert P. LeDuc A-1 LeDuc's Septic Tank Service 10106 Bayshore Drive Rapid River, MI 49878 DEQ Lic. No. 21-03 Delta County	2013 cropping plans (CP) past due. All septage waste businesses were directed to submit their 2013 CP no later than January 11, 2013, in a DEQ Septage Waste Program memo dated November 28, 2012.	May 9, 2013 – Notice letter issued. Respondent notified that they are not authorized to land apply septage to sites without a 2013 cropping plan since it is a violation of the law. Respondent directed to submit cropping plans and soil analysis for nutrients and Cd and PCB if they pump food establishment septage (FES) to their LHD and DEQ for review and approval.
Mr. Gerald D. GaultierBoardman Valley Construction P.O. Box 39 South Boardman, MI 49680 DEQ Lic. No. 40-03 Kalkaska County	2013 cropping plans (CP) past due. All septage waste businesses were directed to submit their 2013 CP no later than January 11, 2013, in a DEQ Septage Waste Program memo dated November 28, 2012.	May 9, 2013 – Notice letter issued. Respondent notified that they are not authorized to land apply septage to sites without a 2013 cropping plan since it is a violation of the law. Respondent directed to submit cropping plans and soil analysis for nutrients and Cd and PCB if they pump food establishment septage (FES) to their LHD and DEQ for review and approval.
Mr. Robert J. Herman Carlisle Septic 68780 Garver Lake Road Edwardsburg, MI 49112 DEQ Lic. No. 14-10 Cass County	2013 cropping plans (CP) past due. All septage waste businesses were directed to submit their 2013 CP no later than January 11, 2013, in a DEQ Septage Waste Program memo dated November 28, 2012.	May 9, 2013 – Notice letter issued. Respondent notified that they are not authorized to land apply septage to sites without a 2013 cropping plan since it is a violation of the law. Respondent directed to submit cropping plans and soil analysis for nutrients and Cd and PCB if they pump food establishment septage (FES) to their LHD and DEQ for review and approval.

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<p>Mr. Joseph F. Tomaski Gaylord Sewer & Septic Service 6528 Pyke School Road Gaylord, MI 49735</p> <p>DEQ Lic. No. 69-05 Otsego County</p>	<p>2013 cropping plans (CP) past due. All septage waste businesses were directed to submit their 2013 CP no later than January 11, 2013, in a DEQ Septage Waste Program memo dated November 28, 2012.</p>	<p>May 9, 2013 – Notice letter issued. Respondent notified that they are not authorized to land apply septage to sites without a 2013 cropping plan since it is a violation of the law. Respondent directed to submit cropping plans and soil analysis for nutrients and Cd and PCB if they pump food establishment septage (FES) to their LHD and DEQ for review and approval.</p>
<p>Mr. Gordon W. Hyrkas Gordy's Pumping 58999 Trap Rock Valley Road Calumet, MI 49913</p> <p>DEQ Lic. No. 31-05 Houghton County</p>	<p>2013 cropping plans (CP) past due. All septage waste businesses were directed to submit their 2013 CP no later than January 11, 2013, in a DEQ Septage Waste Program memo dated November 28, 2012.</p>	<p>May 9, 2013 – Notice letter issued. Respondent notified that they are not authorized to land apply septage to sites without a 2013 cropping plan since it is a violation of the law. Respondent directed to submit cropping plans and soil analysis for nutrients and Cd and PCB if they pump food establishment septage (FES) to their LHD and DEQ for review and approval.</p>
<p>Mr. Scott Hutchinson Johnson Septic Tank Service 10061 E 16 Road Manton, MI 49663</p> <p>DEQ Lic. No. 83-09 Wexford County</p>	<p>2013 cropping plans (CP) past due. All septage waste businesses were directed to submit their 2013 CP no later than January 11, 2013, in a DEQ Septage Waste Program memo dated November 28, 2012.</p>	<p>May 9, 2013 – Notice letter issued. Respondent notified that they are not authorized to land apply septage to sites without a 2013 cropping plan since it is a violation of the law. Respondent directed to submit cropping plans and soil analysis for nutrients and Cd and PCB if they pump food establishment septage (FES) to their LHD and DEQ for review and approval.</p>
<p>Mr. Martin Dexter Marty's Septic Service 15313 100 Avenue Rodney, MI 49342</p> <p>DEQ Llic. No. 54-03 Mecosta County</p>	<p>2013 cropping plans (CP) past due. All septage waste businesses were directed to submit their 2013 CP no later than January 11, 2013, in a DEQ Septage Waste Program memo dated November 28, 2012.</p>	<p>May 9, 2013 – Notice letter issued. Respondent notified that they are not authorized to land apply septage to sites without a 2013 cropping plan since it is a violation of the law. Respondent directed to submit cropping plans and soil analysis for nutrients and Cd and PCB if they pump food establishment septage (FES) to their LHD and DEQ for review and approval.</p>

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<p>Mr. Michael J. Fischer Micro Service Inc. 2264 Bittersweet Drive Manistee, MI 49660</p> <p>DEQ Lic. No. 51-05 Manistee County</p>	<p>2013 cropping plans (CP) past due. All septage waste businesses were directed to submit their 2013 CP no later than January 11, 2013, in a DEQ Septage Waste Program memo dated November 28, 2012.</p>	<p>May 9, 2013 – Notice letter issued. Respondent notified that they are not authorized to land apply septage to sites without a 2013 cropping plan since it is a violation of the law. Respondent directed to submit cropping plans and soil analysis for nutrients and Cd and PCB if they pump food establishment septage (FES) to their LHD and DEQ for review and approval.</p>
<p>Mr. Randolph Schultz Schultz Septic Tank Service 3770 East 56th Street Newaygo, MI 49337</p> <p>DEQ Lic. No.62-01 Newaygo County</p>	<p>2013 cropping plans (CP) past due. All septage waste businesses were directed to submit their 2013 CP no later than January 11, 2013, in a DEQ Septage Waste Program memo dated November 28, 2012.</p>	<p>May 9, 2013 – Notice letter issued. Respondent notified that they are not authorized to land apply septage to sites without a 2013 cropping plan since it is a violation of the law. Respondent directed to submit cropping plans and soil analysis for nutrients and Cd and PCB if they pump food establishment septage (FES) to their LHD and DEQ for review and approval.</p>
<p>Mr. Scott Stone Stone Construction and Septic, LLC 17773 US Highway 12 Edwardsburg, MI 49112</p> <p>DEQ Lic. No. 14-04 Cass County</p>	<p>2013 cropping plans (CP) past due. All septage waste businesses were directed to submit their 2013 CP no later than January 11, 2013, in a DEQ Septage Waste Program memo dated November 28, 2012.</p>	<p>May 9, 2013 – Notice letter issued. Respondent notified that they are not authorized to land apply septage to sites without a 2013 cropping plan since it is a violation of the law. Respondent directed to submit cropping plans and soil analysis for nutrients and Cd and PCB if they pump food establishment septage (FES) to their LHD and DEQ for review and approval.</p>
<p>Mr. Blaine Newberry Tri-County Portable Toilet and Septic Services P.O. Box 124 Paris, MI 49338</p> <p>DEQ Lic. No. 54-08 Mecosta County</p>	<p>2013 cropping plans (CP) past due. All septage waste businesses were directed to submit their 2013 CP no later than January 11, 2013, in a DEQ Septage Waste Program memo dated November 28, 2012.</p>	<p>May 9, 2013 – Notice letter issued. Respondent notified that they are not authorized to land apply septage to sites without a 2013 cropping plan since it is a violation of the law. Respondent directed to submit cropping plans and soil analysis for nutrients and Cd and PCB if they pump food establishment septage (FES) to their LHD and DEQ for review and approval.</p>

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<p>Mr. John F. deVeaux, Sr. Yooper Septic and Waste Disposal Service LLC 13748 S-15 Road Rapid River, MI 49878</p> <p>DEQ Lic. No. 21-11 Delta County</p>	<p>2013 cropping plans (CP) past due. All septage waste businesses were directed to submit their 2013 CP no later than January 11, 2013, in a DEQ Septage Waste Program memo dated November 28, 2012.</p>	<p>May 9, 2013 – Notice letter issued. Respondent notified that they are not authorized to land apply septage to sites without a 2013 cropping plan since it is a violation of the law. Respondent directed to submit cropping plans and soil analysis for nutrients and Cd and PCB if they pump food establishment septage (FES) to their LHD and DEQ for review and approval.</p>
<p>Mr. John R. Sexton 1895 Bennett Road Topinabee, MI 49791</p> <p>DEQ Lic. No. 16-06 Cheboygan County</p>	<p>Violation of the 2012 cropping plan. The respondent exceeded the agronomic application rate by 9,000 gallons.</p>	<p>January 15, 2013 - Notice Letter (NL) issued to respondent ordering respondent to submit a written summary describing why the AAR was exceeded, what will be done to remedy the site and how this problem will be avoided in the future.</p> <p>January 21, 2013 – Respondent replied satisfactorily in writing to all the requirements outlined in the NL. Case is closed.</p>
<p>Mr. Victor Bloom DeForest & Bloom Septic Tanks & Concrete 7994 Houghton Rd Central Lake, MI 49622</p> <p>DEQ Lic. No. 05-05 Antrim County</p>	<p>Improper land application of septage at site ID# 2(A) on Dawson Rd, Section 21.</p>	<p>January 14, 2013 – Health Department of Northwest Michigan order to immediately cease any further land application until such time of being able to demonstrate the required protocols are in place to properly land apply septage as required. Advance planning will be necessary to demonstrate this.</p>

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<p>Robert Rasch Rent A John – DBA AAA Portable Toilets Inc. 5475 South State Street Ann Arbor, MI 49108</p> <p>DEQ Lic. No. 81-08 Washtenaw County</p>	<p>Poor record keeping and disposal of septage waste at an unauthorized location.</p>	<p>October 22, 2012 – Complaint investigated by Washtenaw County Department of Public Health (WCDPH) based on complaint received. DEQ copied on complaint investigation.</p> <p>January 14, 2013 – Notice of Informal Conference issued to respondent.</p> <p>April 2, 2013 – Violation Notice issued summarizing allegations and outcome of Informal Conference. Respondent ordered to submit records to DEQ and WCDPH from April 1 – July 31, 2013. Ordered to obtain 5 CSE credits no later than October 1, 2013. Failure to comply may result in escalated enforcement including but not limited to license suspension, revocation or other action.</p>
<p>Mr. Ron Richards Richards Septic Service, Inc. 1560 Greenville Road Greenville, MI 48838</p> <p>DEQ Lic. No. 59-01 Montcalm County</p>	<p>Failure to incorporate land applied septage with the soil at their DEQ authorized land application site.</p>	<p>August 20, 2012 – Notice Letter issued by the Mid-Michigan District Health Department. Mr. Richards ordered to incorporate immediately. Follow up inspection scheduled for August 24, 2012.</p> <p>August 27, 2012 – Follow up letter issued documenting Richards Septic Service incorporated septage with the soil.</p>
<p>Mr. Clint Sumner Michigan Disposal P.O. Box 210406 Auburn Hills, MI 48321</p> <p>Former DEQ Lic. No. 63-82 Oakland County</p>	<p>Failure to pay annual fees.</p> <p>Failure to present license to health department staff.</p>	<p>August 7, 2012 - Oakland County HD issued a warning letter after Mr. Sumner failed to comply with requests to schedule an inspection of his vehicle.</p> <p>August 9, 2012 – DEQ contacted Mr. Sumner who confirmed that he is out of business. DEQ contacted the disposal facilities that Michigan Disposal used and the Oakland County HD.</p>

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Name/Business	Type of Violation	Outcome
<p>Ms. Zabel Iafrate Cut Rate Septic Tank & Sewer Cleaners 3684 West Baker Road Coleman, MI 48618</p> <p>Former DEQ Lic. No. 56-13 Midland County</p>	<p>Operating without a septage waste license.</p> <p>Septage waste dumped on ground at a site not authorized by the DEQ for land application.</p>	<p>December 15, 2010 – Violation Notice issued for servicing without a license, making false statements and failure to maintain volume records. Cut Rate owner invited to attend a preliminary meeting.</p> <p>April 4, 2011 – Administrative Consent Order issued. Order requires the cleansing and abandonment of the storage tank, dispose of contents at a DEQ authorized receiving facility, submit pump/volume records and pay penalties totaling \$680. Failure to comply will result in immediate suspension or revocation of license.</p> <p>July 20, 2011 – Midland County HD staff inspected site after receiving complaint that Cut Rate was dumping septage near a 1250 gallon storage tank. MCDPH confirms Cut Rate dumping septage on an unauthorized site.</p> <p>Cut Rate voluntarily surrenders septage waste servicing license with the understanding they will not apply for a septage waste license in the future.</p>

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Name/Business	Type of Violation	Outcome
<p>Mr. Samuel Campbell Campbell Septic Service P.O. Box 85 Hamburg, MI 48139</p> <p>DNRE License No. 47-26 Livingston County</p>	<p>August 2010 – Campbell failed to renew the septage waste license due no later than March 15, 2010, and allegedly continued septage waste servicing.</p>	<p>Summer 2010 - Livingston County Health Department received notice that an unlicensed hauler, Campbell Septic Service was pumping septic tanks (hauler did not renew septage license). DNRE notified.</p> <p>September 29, 2010 – DNRE Office of Criminal Investigations (OCI) observed Campbell Septic vehicle used to pump and transport septage. Tickets issued by OCI and MSP Motor Carrier. The Campbell vehicle was then towed to an impound yard.</p> <p>February 11, 2011 – Campbell Septic Service entered into an Administrative Consent Order (ACO) with the DNRE. The ACO mandates that the hauler not pump without a valid license, the vehicle be maintained in compliance with the Motor Carrier Safety Act, by April 1, 2011, arrange inspection of storage facility, by June 1, 2011, remove all contents of storage tanks for disposal at an receiving facility, prior to licensure under Part 117 submit CSE credit hour certificates, submit accurate pump records on a quarterly basis upon license issuance, pay fines totaling \$2,500.</p>

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<p>Leoni Township SWRF P.O Box 375 Michigan Center, MI 49254</p> <p>Jackson County</p>	<p>January 2011 – Septage waste receiving station not operational. Septage waste disposal into plant not in accordance with SWRF operating plan.</p>	<p>February 1, 2011 – Water Resource Division, DNRE issued Violation Notice # VN-004807 to Leoni Township. Short term requirements include submission of a written update to repair/replace malfunctioning equipment and to amend the septage waste operating plan by February 11, 2011.</p> <p>Long term requirements include submission of an O&M plan for the receiving station outlining systematic procedures that will be put in place for the facility and operating plan amendments due March 11, 2011.</p> <p>March 11, 2011 – Written response from facility. SWRF operational as designed. Additional extensive repairs to receiving station will be made with plans to keep SWRF open. If this is not possible, SWRF will be closed while repairs are made.</p>
<p>Mr. Fred Krueger Krueger's Septic Service 1212 Thomson Road Niles, MI 49120</p> <p>DEQ Lic. No. 14-14 Cass County</p>	<p>January 25, 2010 – 4 witnesses observe and report to the Cass County Sherriff's Dept. the frequent dumping of septage waste by Krueger's Septic Service in a ravine.</p> <p>Investigating Sherriff Deputy observes Krueger's Septic Service vehicle dumping the septage waste.</p> <p>DEQ Septage Program staff make referral to DEQ's Office of Criminal Investigation</p>	<p>June 25, 2010 – Fred Krueger arrested for 1 count of improper disposal of septage waste on an unpermitted site. Mr. Krueger was lodged in the Cass County jail – arraignment set for July 7, 2010.</p> <p>The original charge was dismissed. A second count was added, Disorderly Person - Disturbing the Peace MCLA 750.170. Mr. Krueger pled no contest. He was fined \$64, court costs of \$63, statute costs of \$48 for a total of \$175.</p> <p>Mr. Krueger was advised by the Cass County Prosecutor that another charge against his company, in Cass County, would result in no plea deals.</p>

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<p>Mr. Dan Swihart Swihart's Septic & Port-A-Potty's, Inc. and Swihart's Trucking Inc. 4491 North 88th Avenue Hart, MI 49420</p> <p>DNRE Septage Lic. No. 64-12 Oceana County</p>	<p>Using a septage waste vehicle to pump liquid industrial waste (LIW) without a valid Part 121 license and allegedly dumping LIW on licensed septage waste land application site. Land application of LIW is prohibited by Part 121.</p>	<p>April 7, 2010 – DNRE Environmental Resource Management Division (ERMD) – Violation Notice issued. Swihart's Septic directed to respond to alleged violations.</p> <p>August 19, 2010 – DNRE ERMD issues an Enforcement Notice and proposed Consent Order for alleged violations.</p> <p>October 20, 2010 – DNRE Consent Order (CO) signed by Mr. Swihart. CO requires that all LIW hauling cease; an application shall be submitted for a Part 121 LIW license; manifests must be used when transporting LIW; transport in a manner so LIW is not discharged to the soil. A civil fine of \$6,500 was assessed.</p>
<p>Mr. Gerald Harding Harding Septic, LLC N 4177 Maple Lane Peshtigo, WI 54157</p> <p>DNRE Septage Lic. No. 86-13 Wisconsin</p>	<p>Operating an unlicensed septage waste vehicle.</p>	<p>October 14, 2010 – Second Notice issued by Public Health Delta & Menominee Counties. Notice directs business on Part 117 requirements and reminds them that they are not authorized to pump septage in Michigan with this vehicle.</p>
<p>Mr. Ralph Kingsley Ralph's Septic Pumping 7560 Rapid City Road Rapid City, MI 49676</p> <p>DEQ Septage Lic. No. 40-04 Kalkaska County</p>	<p>January 19, 2007 – NWMCHA inspected the land application site and observed & photographed septage disposal to frozen soil, ponding septage, no screening and no incorporation.</p>	<p>September 24, 2007 – Administrative Consent Order issued this date. The stipulations agreed to include the following: Part 117 requirements will be followed including screening, uniform and agronomic application of septage waste to land. The respondent is ordered to discontinue use of their 77 acre site until certain requirements are met.</p> <p>Fines & Penalties – \$800.00 fine and a 3 year probationary period.</p> <p>July 23, 2010 – Request by Respondent for ACO termination authorized by the DNRE. All obligations under the ACO have been met.</p>

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<p>Mr. Kevin Allers Allers Septic Tank Service 23374 21 Mile Road Paris, MI 49338</p> <p>DEQ Septage Lic. No. 54-01</p> <p>Mecosta County</p>	<p>February 20, 2007 – Inspection by DHD No. 10 at Allers Septic Tank Service ID #1 revealed septage dumping on frozen soil, ponding septage, no incorporation, septage waste flowing into a wetland, septage waste not screened, non-uniform application to land, and septage waste not applied at agronomic rates.</p>	<p>5/10/07 – DEQ informal conference with Mr. Allers to discuss alleged violations of Part 117.</p> <p>8/14/07 – All parties have signed an Administrative Consent Order. The stipulations agreed to by the respondent include the following: stop all land application at site ID #1 located in Sec. 18, Green Twp., Mecosta County and shall no longer use land application as a means of septage disposal, site ID #1 will be incorporated and rye planted, submit an explanation to the DEQ regarding application practices, collect soil samples and submit results to the DEQ.</p> <p>Fines - \$25,000.00 will be paid over a year's time: \$10,000.00 to the DEQ and \$15,000.00 to DHD No. 10.</p> <p>July 23, 2010 – Request by Respondent for ACO termination authorized by the DNRE. All obligations under the ACO have been met.</p>

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<p>Mr. Fred Krueger Krueger's Septic Service 1212 Thomson Road Niles, MI 49120</p> <p>DNRE Septage Lic. No 14-14 Cass County</p>	<p>Second incidence of improper disposal of septage waste involving Krueger's Septic Service in the last 6 months.</p> <p>Part 117 VIOLATION: Sec. 11709.(1) A person shall not dispose of septage waste on land except as authorized by a site permit for that site issued by the department pursuant to part 13. A person shall apply for a site permit using an application form provided by the department.</p> <p>(1) A person who violates section 11704, 11705, 11708, 11709, 11710, or 11711 is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$5,000.00, or both.</p>	<p>June 25, 2010 - Fred Krueger of Niles was arrested on one count of improper disposal of septage waste without a permit issued by the Cass County prosecutor's office. Krueger was lodged in the Cass County jail and once bond is posted, his arraignment is set for 7/7/10 at 9:00 AM</p> <p>This investigation was initiated after a call was received by the Cass County Sheriffs Department which then made a PEAS report.</p> <p>The Water Bureau requested OCI conduct a criminal investigation. During the course of the investigation, it was determined that Krueger Septic Service was cleaning out their truck and dumping the residue on property owned by the suspect. Krueger is only permitted to dump at the Niles Waste Water treatment plant or Elkhart Environmental.</p>
<p>Cease and Desist Order Lexington Wastewater Treatment Plant 7227 Huron Avenue Suite 100 Lexington, Michigan 48450</p> <p>Sanilac County</p>	<p>2006 – City of Lexington was found to be operating a receiving facility without an approved operating plan despite multiple requests by DEQ to submit documents.</p>	<p>December 2006 – Lexington agreed to submit plan, and to temporarily suspend operations by end of December, 2006.</p> <p>May 11, 2010 – SWRF operating plan approved by DNRE.</p>

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<p>Mr. Fredrick M. Maki J.F.K. Maki P.O. Box 63 Watton, MI 49970</p> <p>DEQ Septage Lic. No. 07-01 (suspended) Baraga County</p>	<p>August 8, 2007 – Keweenaw Indian Res. Police Officer took photos showing unscreened septage waste dumped down a steep hill into a wetland on Maki property & reported finding to DEQ.</p> <p>September 18, 2007 – transporting septage without a current Federal Motor Carrier safety inspection.</p> <p>September 19, 2007 – Email and photos from Western Upper Peninsula District Health Department confirming that J.F.K. Maki was dumping down steep slopes, no tilling, no crops, and not at agronomic application rates (AAR).</p> <p>July 9, 2009 – DEQ held informal conf. w/ Maki.</p>	<p>April 11, 2008 - DEQ issues Notice of License Suspension.</p> <p>Notice of Hearings set for April 18 and 21, 2008, to appear before an Administrative Law Judge. Mr. Maki does not show.</p> <p>December 4, 2009 – Mr. Maki signs Administrative Consent Order.</p> <p>December 18, 2009 – ACO is entered into record. Mr. Maki agrees to:</p> <ul style="list-style-type: none"> - voluntarily terminate, revoke and surrender all septage waste licenses and permit; - not engage in the practice of septage waste hauling or land application until he obtains all DEQ required licenses and permits; - pay \$300 in civil fines.
<p>Ms. Collen St. Louis Lester Septic Cleaning Service 2803 Superior Trail St. Ignace, MI 49781</p> <p>DNRE Septage Lic. No. 49-04</p>	<p>October 14, 2009 – DEQ is contacted by LMAS DHD staff that Lester Septic Cleaning Service (Lester) is servicing portable toilets with unlicensed pump truck. DEQ confirms Lester has been operating its portable toilet business without the required vehicle and septage waste servicing licenses since March 2006.</p>	<p>October 22, 2009 – DEQ issues Notice of Violation (NOV) to Lester concerning the violation of Sec. 11702(1) “A person shall not engage in servicing or contract to engage in servicing except as authorized by a septage waste servicing license and a septage waste vehicle license...” Lester is ordered to cease all operations until the business is licensed and to provide a written response by November 14, 2009.</p> <p>November 2009 - Invoice issued to Lester with license and late fees to be paid dating back to 2006. Total invoiced is \$2,665.19.</p> <p>December 12, 2009 – All fees paid in full. Business is licensed.</p>

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<p>Mr. Stephen L. Finkbeiner Elite Finish Enterprises P.O Box 146 Fostoria, MI 48435</p> <p>DNRE Septage Lic. No. 79-11</p>	<p>July 10, 2009, Lapeer County Health Department staff reported a complaint received to the DEQ that a septage vehicle was frequently dumping septage in pits at an unlicensed land application site located in Columbiaville, Lapeer County.</p> <p>Witnesses provided the license plate number of the septage waste vehicle entering and exiting the property.</p> <p>Michigan Compiled Law (MCL) 324.11709 (1) states that a person shall not dispose of septage waste on land except as authorized by a site permit for that site issued by the department.</p> <p>MCL 324.11719(1) states that a person who violates section is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$5,000.00, or both. Section (4) states that each day that a violation continues constitutes a separate violation.</p>	<p>July 10, 2009, Lapeer County HD staff inspected the site and confirmed the pit full of septage waste.</p> <p>DEQ Office of Criminal Investigations (OCI) confirmed that the plate number was registered to Stephen Leslie Finkbeiner. The suspect was interviewed and confessed to dumping septage waste on 6 occasions.</p> <p>10/29/2009, a warrant was signed at the 71-A District Court in Lapeer, Michigan in front of Magistrate Michael Delling. Fostoria, Michigan Resident – Stephen Leslie Finkbeiner was charged with Part 117 Septage Waste Disposal Violations.</p> <p>November 19, 2009, Stephen L. Finkbeiner appeared at the 71A District Court in Lapeer in front of Judge Barnard. The defendant pled guilty to count one while count 2 was dismissed. Defendant given 30 days to clean site and properly dispose of septage waste.</p> <p>December 4, 2009, sentencing. Lapeer CHD confirmed clean up of site. Septage waste and impacted soils taken to Brent Run Landfill. Judge fined the defendant \$200.</p>
<p>Mr. Steve Yerkes Turner Sanitation, Inc. P.O. Box 254 Lake Orion, MI 48361-0254</p> <p>DNRE Septage Lic. No. 63-08</p>	<p>November 2009 – Mr. Yerkes alleged to have violated liquid industrial waste (LIW) , Part 121, for the following violations; not registering with DEQ prior to transporting hazardous materials, not maintaining insurance required to transport hazardous materials, not manifesting hazardous wastes, using an unlicensed septage vehicle to transport said wastes.</p>	<p>November 19, 2009 – DEQ Waste and Hazardous Materials Division (WHMD) ordered to submit documentation by December 19, 2009, of all liquid industrial waste (LIW) transported over the last 6 years, cease operations, submit an application for registration & permitting as a LIW transporter, and provide a written explanation of the cause of the violations.</p>

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<p>Mr. Richard Pant Six Lakes Septic Tank Service 9717 North Derby Road Six Lakes, MI 48886</p>	<p>March 2009 – Local health department staff reported to DEQ that there were alleged land application problems adjacent to land application Site No. 11. DEQ staff inspected on March 10 and observed the following alleged violations – septage disposal on an unauthorized location; not applying septage at agronomic rates; not incorporating septage within 6 hours; not growing crops on site; not recording FES blending; no soil fertility testing; screening deficiencies; applying in winter without DEQ authorization.</p>	<p>October 27, 2009 – Six Lakes Septic signed a DEQ Administrative Consent order agreeing to the following:</p> <ul style="list-style-type: none"> - Discontinue land application on unapproved sites; - Submit a detailed map of Site No. 11 showing each location used to dispose septage waste; - Remediate site and contact DHD No. 10 for inspection; - Submit written report to DEQ summarizing past practices pertaining to Part 117 related disposal requirements; - Submit a site management and cropping plan for Site No. 11; - Contract with a third party to collect soil samples for analysis; - No land application between November 15 and April 15; - Assessed \$10,000 penalty.
<p>James and Madeline Houdek Houdek Pumping Service 7531 E Duck Lake Road Lake Leelanau, MI 49653</p> <p>DEQ Septage Lic. No. 45-06</p> <p>Leelanau County</p>	<p>Not meeting isolation setback requirements for Site ID No. 7, Fields A - C, exceeding land application volume rates submitted earlier in 2009 cropping plans, acreage less than reported by hauler.</p>	<p>September 11, 2009 – Benzie-Leelanau DHD issued notice letter. Notice letter ordered Houdek Pumping Service to revise and submit cropping plans and correct acreage totals for Site ID No. 7, Fields A, B, C for submittal to DEQ for review and approval no later than October 31, 2009.</p>
<p>Mr. Gary Brendel Port-A-Call 7820 East Allen Road Fenton, MI 48430</p> <p>Livingston County</p>	<p>Callers to DEQ reported in 2008 and 2009 that Port-A-Call was being operated without a septage waste servicers license.</p>	<p>2008 – DEQ OCI officers observed portable toilets with Port-A-Call logo. Officers met with owner to discuss licensing requirements.</p> <p>2009 – Reports to DEQ state that Port-A-Call is still in operation and still unlicensed. DEQ investigates and determines Port-A-Call is still in business.</p> <p>March 23, 2009 – Port-A-Call issued DEQ Notice Letter to cease all septage waste servicing until owner/business are properly licensed. Owner submitted application and fees – license pending CSE credits and vehicle inspection.</p>

SEPTAGE PROGRAM ADMINISTRATIVE ENFORCEMENT ACTIONS

Name/Business	Type of Violation	Outcome
<p>Mr. Bradley LaVoy Brad's Septic Tank Service 3115 W. Rauch Road Temperance, MI 48182</p> <p>DEQ Septage Lic. No. 58-16</p> <p>Monroe County</p>	<p>July 25, 2008 – Waste and Hazardous Materials (WHMD) staff of the DEQ conducted review of a complaint to determine Brad's Septic Tank Service compliance with Part 111, Hazardous Waste Management and Part 121, Liquid Industrial Wastes, of the NREPA, 1994 PA 451, as amended.</p>	<p>WHMD staff determined that Brad's Septic Tank Service transported both liquid industrial and hazardous wastes in a vehicle that was licensed under Part 117, Septage Waste Servicers, of the NREPA, 1994 PA 451, as amended.</p> <p>August 20, 2008 – Letter of Warning issued to Brad's Septic Tank Service to register as a liquid industrial waste (LIW) and hazardous waste hauler; provide a manifest for all LIW hauled; obtain a LIW site ID number; provide a detailed written program for compliance; explain the cause of the violations including steps taken to prevent reoccurrence. The above items are due September 15, 2008.</p>
<p>Mr. Edward H. Morris III A & E Rental 10611 North Leaton Road Clare, MI 48617</p> <p>DEQ Septage Lic. No. 37-14</p> <p>Isabella County</p>	<p>October 10, 2006, staff from the Department of Environmental Quality (DEQ) from the Septage Program requested the DEQ Office of Criminal Investigation (OCI) to follow up on a possible violation of failing to properly dispose of septage by A & E Rental. A & E Rental is approved to dispose septage at the Gladwin Waste Water Treatment Plant (WWTP) only. OCI investigators found the Gladwin WWTP records showed no record that A & E Rental disposed there.</p> <p>June 21, 2007, OCI conducted a search warrant at A& E Rentals.</p> <p>The investigation revealed that Edward Morris of A & E Rental was under reporting to the DEQ the volumes of septage being disposed. Further, the holding tanks used by A & E Rentals, were discharging to the ground water of the State which is not permitted by the DEQ.</p>	<p>March 17, 2008, the Isabella 76th District Court issued a 3 count warrant for Edward Morris owner of A & E Rentals, a septage hauling business.</p> <p>On April 24, 2008, the Isabella 76th District Court bound Edward Morris, of A & E Rentals, over to Circuit Court for trial.</p> <p>August 11, 2008, in the Isabella 76th District Court, Edward Morris as part of plea agreement, pled no contest to attempted violation or false statement in a license application or a record required in Part 117. Mr. Morris was ordered to pay \$1250.00 in fines and \$720.00 in fees and court costs. Mr. Morris was also placed on one year reporting probation. During his probation, Mr. Morris cannot violate any DEQ or DNR laws.</p>

SEPTAGE PROGRAM ADMINISTRATIVE ENFORCEMENT ACTIONS

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Baldwin Municipal WWTP Village of Baldwin 5799 Grove Street Baldwin, MI 49304	The Village of Baldwin WWTP was accepting septage waste without DEQ authorization as required under Part 117.	August 5, 2008 – The DEQ issued a Cease and Desist order to village officials to stop accepting septage waste. The WWTP operator was ordered to contact the licensed septage waste businesses using the WWTP for septage disposal.
Mr. Todd Chmelik Kendall Septic dba Pit Stop Portable Restroom Svc./ Tyler J LLC 1417 Kooiman Avenue Grand Haven, MI 49417 DEQ Septage Lic. No. 70-18 Ottawa County	May 21 & 22, 2008 – Kendall pumped storm sewer catch basin, a liquid industrial waste, with a Part 117 licensed septage waste vehicle that was not registered or licensed under Part 121, Liquid Industrial Waste. The waste was transported to the firm's storage facility.	May 3, 2008 – The DEQ Waste & Hazardous Materials Division followed up with a warning letter requiring the hauler to apply get an ID number for the catch basin location and hire a Part 121 licensed firm to pump and properly dispose of this waste.